



# Montana

## Department of Labor and Industry

### Office of Legal Services

EXHIBIT 10  
DATE 3.20.09  
287

Governor Brian Schweitzer

PHONE: (406) 841-2300  
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P.O. BOX 200513  
HELENA, MT 59620-0513

#### MONTANA BOARD OF MEDICAL EXAMINERS

April 16, 2008

Val and Cheryl Schweigert  
PO Box 5644  
Columbia Falls, MT 59912

COMPLAINT #: 2008-037-MED  
2008-045-MED  
2008-046-MED

#### CEASE AND DESIST ORDER

Dear Mr and Mrs. Schweigert:

The Board of Medical Examiners recently reviewed materials sent to it regarding your alleged unlicensed practice of medicine in Montana including diagnosing medical conditions, taking patients off prescription medications in contravention of a physician's orders and supplying large quantities of herbs for healing medical conditions. You are not licensed as physicians in Montana and, thus, cannot diagnose and hold yourselves out as being able to heal medical conditions. The Board is issuing this Cease and Desist Order in lieu of proceeding to District Court to request an injunction ordering you to refrain from practicing medicine without a license.

Section 37-3-102(6), Montana Code Annotated (MCA) defines the "practice of medicine" to means "the diagnosis, treatment, or correction of or the attempt to or the holding of oneself out as being able to diagnose, treat, or correct human conditions, ailments, diseases, injuries, or infirmities, whether physical or mental, by any means, methods, devices, or instrumentalities."

Section 37-3-102(6), MCA, states "If a person who does not possess a license to practice medicine in this state under this chapter and who is not exempt from the licensing requirements of this chapter performs acts constituting the practice of medicine, he is practicing medicine in violation of this chapter."

**YOU ARE HEREBY ORDERED TO CEASE AND DESIST FROM PRACTICING MEDICINE WITHOUT A LICENSE.**

Again, should the Board be informed of any further infractions, it will proceed to District Court to file an injunctive action against you under §37-1-317, MCA. It may also seek prosecution for a misdemeanor via the County Attorney's office, as per 37-3-325 MCA. Therefore, please guide your actions accordingly in the future.

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BY: 

Anne O'Leary Legal Counsel  
Department of Labor and Industry

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